

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JOHN H. BENGE, JR.,	§
	§ No. 102, 2006
Plaintiff Below-	§
Appellant,	§
	§ Court Below-Court of Chancery
v.	§ of the State of Delaware
	§ in and for New Castle County
OAK GROVE MOTOR COURT,	§ C.A. No. 1837-N
INC., a Delaware corporation,	§
DONNA KAY LOVETT,	§
individually and as Trustee, PAUL	§
DEWITT LOVETT, III, and JAMES	§
MARSH LOVETT,	§
	§
Defendants Below-	§
Appellees.	§

Submitted: April 20, 2006

Decided: June 21, 2006

Before **STEELE**, Chief Justice, **HOLLAND** and **BERGER**, Justices

ORDER

This 21st day of June 2006, the Court has considered the appellees' motion to affirm pursuant to Supreme Court Rule 25(a) and finds it manifest on the face of the appellant's opening brief that the appeal is without merit for the reasons stated by the Court of Chancery in its well-reasoned decisions dated January 13, 2006 and February 7, 2006. We find no error or abuse of discretion on the part of the Court of Chancery in any respect.

NOW, THEREFORE, IT IS ORDERED that the appellees' motion to affirm is GRANTED. The judgment of the Court of Chancery is AFFIRMED.

BY THE COURT:

/s/ Randy J. Holland
Justice